

INTERAGENCY COORDINATING COMMITTEE (IACC)
JOINT MEETING OF THE MARINAS AND RECREATIONAL BOATING
WORKGROUP AND COPPER ANTIFOULING PAINT SUB-WORKGROUP

DRAFT MINUTES FOR THE July 10, 2008 Meeting

SAVE THE DATE: The next in-person meeting is scheduled for **Thursday September 11, 2008, from 10-12** at Cal/EPA Conference Room # 1520; call in number (916) 227-1132.

Meeting Attendees: Molly Munz (State Water Resources Control Board), Nan Singhasemanon, (Dept. of Pesticide Regulation), Noel Stewart (Stewart Marine), Kevin Atkinson, Terri Ely (Department of Boating and Waterways), Dave Breninger (Placer County Water Agency), Karen McDowell (San Francisco Estuary Project), Jerry Desmond, Jr. (Recreational Boaters of California), Lina Kiaune, (Dept. of Pesticide Regulation).

Telephone Attendees: Lisa Sniderman (California Coastal Commission), Vivian Matuk (California Coastal Commission/Department of Boating and Waterways), Melissa Frago (Department of Boating and Waterways), Leigh Johnson, Cesar Alvarez, (Sea Grant Program), Peter Von Langen (Central Coast Regional Board), Linda Candelaria (Santa Ana Regional Board), Lilian Busse (San Diego Regional Board), Ignacio Riviera-Duarte, Pat Early (U.S. Navy SPAWAR), Dan Little (Central Valley Regional Board), Fred Lee (G. Fred Lee and Associates), Stan Susman (Interlux Paint), Katy Wolf (Institute for Research and Technical Assistance), Richard Looker (San Francisco Bay Regional Board) Dan Waligora (California Department of Fish and Game), Steve Kalvelage (Sacramento County), Grace Lee (Santa Monica Bay Restoration Commission), Suzan Given (County of Orange), Rolf Schottle (AMEC), Bill Rocco, Marlan Hoffman (California Association of Professional Divers)

1. Announcements:

Vivian Matuk (DBW/CCC): Vivian mentioned that the next Delta CCBN meeting will be on July 31, 2008. with Delta Ecotours aboard the Tule Queen where participants will: learn Delta geography, natural and human history, and problems affecting this important region; observe a diversity of wildlife, flooded islands, restoration sites, and a wide variety of Delta marinas; learn more about the Keep the Delta Clean program's efforts and accomplishments to date; and learn new insight from Sergeant Doug Powell with Contra Costa County Marine Patrol Unit about the County's ordinance, its history, benefits, and how the County has been using Cal Boating's grant funding since 1987. The Tule Queen accommodates up to 40 people and 32 people have already signed up. Space is limited. For more information, please contact: vmatuk@coastal.ca.gov.

Linda Candelaria (Santa Ana Regional Board): Linda indicated that Orange County CoastKeeper received a 319 grant and will be working on reducing the number of boats that use copper boat paint. Further, the City of Newport Beach will be working on a resolution related to copper. Linda consulted with DPR on the legality of such actions since DPR's regulations preempt any local ordinances on pesticide sales and use.

2. Agency Updates

Santa Monica Bay Restoration Commission/San Francisco Estuary Project-Sewage Pumpout Evaluations Update (Grace Lee/Karen McDowell): Grace gave a presentation

on the Southern California pumpout study that the Restoration Commission is currently conducting, funded by Department of Boating and Waterways to answer some basic questions about and determine effectiveness of pumpouts funded with DBW grant funds. The study is monitoring pumpouts in Southern California (Orange County, Ventura County, Los Angeles County, and San Diego County) for four key elements: responsible parties, gathering information about pumpouts in California, types of signage used and performance of pumpouts. Grace shared a data sheet with the workgroup and indicated that most pumpouts seem to be in good working condition. Of 54 pumpout facilities monitored 3 times, only 6 were non-operational. Kevin (DBW) indicated there are new pumpout signs in production for CVA funded marinas. Grace will come back to the workgroup to discuss results (e.g., products, tips, lessons learned). They are also trying to collect information on frequency of use by boaters, which they do by checking the hour meters on the pumpouts. Grace also indicated that they received a used oil grant and will be working on new used oil projects such as a bilge pad exchange in Long Beach and boater kits. For more information, contact: glee@santamonicabay.org.

Karen McDowell (SFEP) gave a presentation on San Francisco Estuary Sewage Pumpout Evaluations Survey. Karen noted that the survey was funded by the Clean Vessel Act, via the Department of Boating and Waterways and was conducted for approximately 70 Marinas with sewage pumpouts in the Bay-Delta Region via monthly pumpout readings via E-mail as well as quarterly Surveys (pumpout readings, vacuum check, and signage check). Karen described the preliminary findings, major roadblocks and outcomes. For more information, contact: kmcdowell@waterboards.ca.gov, (510-622-2398).

Lisa Sniderman (California Coastal Commission): Lisa indicated that she finished the pilot mobile pumpout survey and wrote a short report on her findings. This pilot survey provided additional information for tracking on the services, geographic areas, marinas and frequency serviced, information collected, adequate number of pumpouts, and types of difficulties experienced in disposing sewage for five mobile service companies in Southern California and the Delta to help give a better understanding of the actual sewage pumpout availability and use in these areas. However, even with the responses received, it is difficult to determine the percent or number of marinas with pumpouts available. Lisa indicated she would distribute the report via email to the Marina IACC.

Action Item:

- **Lisa: will email mobile pumpout report and survey to Marina IACC**

3. Proposed Federal NPDES Permit for Vessel Discharges and Federal Clean Boating Act of 2008 Bill-Group Discussion

Nan (DPR) explained that the agenda incorrectly referred to the California Clean Boating Act of 2008. This should have indicated the bill is a federal bill-not a California bill.

Lisa and Nan gave some background on the proposed federal NPDES permit and the federal Clean Boating Act bill that has been introduced to exempt recreational boats from CWA permitting. Jerry Desmond, RBOC's Director of Government Relations was able to provide an overview and historical background on both the proposed federal regulations and bill. Melissa Frago, a legislative analyst from DBW, joined the discussion by phone, and offered additional insights.

The proposed permit is currently open for public comment up until August 1, 2008. U.S. EPA has been active in holding public workshop to solicit input on the permit. The

funding and implementation details of the permit are still sketchy. Thus, it is not immediately clear as to how the permit would be implemented and enforced if it is finalized. The bill (with 2 identical versions H.R. 5949 and S.B. 2766) has been going through House of Representative and Senate subcommittees and is expected to provide recreational boaters relief from permit requirements. At this point, it is still not clear if and how both federal activities will mesh once the court deadline of September 30, 2008 for the permit establishment is reached.

Action Item:

- **Jerry Desmond Jr. (RBOC) will email Lisa materials related to NPDES permit and bill and Lisa will distribute to Marina IACC**

4. Findings and conclusions for DPR/SWRCB Multi-Regional Antifouling Paint Monitoring Study-Nan Singhasemanon (DPR)

Nan presented the findings and conclusions from DPR's 2006 AFP study. The presentation PowerPoint file was sent out prior to the meeting to the email list of both workgroups. In summary, DPR found that many salt water and brackish marinas exhibited elevated concentrations of dissolved copper, total copper, and dissolved zinc. The concentrations of dissolved copper in many of these marinas exceeded the California Toxics Rule water quality standards for copper. Note that exceedances of these standards led to the development of the copper Total Maximum Daily Load for Shelter Island Yacht Basin in San Diego Bay back in the late 1990's. Metal concentrations were often much higher inside of marinas versus local reference sites indicating that marina sources and/or marina-associated characteristics are resulting in the observed differences. In consideration of the study findings and other supporting information, DPR concludes that boat AFPs are likely to be a major source of copper in many salt water marinas, particularly during dry periods.

Dissolved zinc concentrations did not exceed CTR standards for zinc in both fresh and salt water. Furthermore, zinc concentrations may not be driven as significantly by use of AFPs as much as copper concentrations. Monitoring data and use information suggest that sacrificial anodes may be driving the observed zinc concentrations in salt and brackish water marinas.

Toxicity to copper-sensitive aquatic organisms and endpoints was also observed in some of the water samples. Toxicity Identification Evaluation tests confirmed that copper was the most likely toxicant. Results from toxicity modeling using site-specific data, predicted similar results to actual testing.

Another AFP biocide—Irgarol was frequently detected in marina samples. Some of the Irgarol concentrations observed were higher than aquatic benchmark values and higher than some toxicological thresholds (i.e., EC₅₀s) of phytoplankton.

DPR will soon release the study report, which contain all these findings/conclusions and more.

5. Updates on Copper Antifouling Paint Alternative Studies

Cesar Alvarez and Leigh Taylor Johnson (UC Sea Grant Program):

Evaluating Costs of Strategies to Control Hull-Borne Invasive Species on Boats on California boats kept in Saltwater

Leigh Johnson, Cesar Alvarez, and economist Dr. Linda Fernandez of UCR have been working on an economic project to produce a detailed cost analysis of the various fouling control strategies for recreational boats kept in saltwater in California and Baja California. The project is funded by the California Department of Boating and Waterways and the California Department of Pesticide Regulation. The objective is to assist boat owners, boating businesses, academics, environmental organizations, and policymakers in making cost-effective decisions for controlling invasive species, taking water quality regulations into account and the different options and situations available in different parts of the state as well as south of the border.

They have been working with marinas, boatyards, underwater hull cleaners, boat lift and slip liner companies and have designed surveys for each different type of business to gather research data. They are currently working on reaching a 30% response rate for each type of survey. Surveys to businesses in Baja California will be going out soon. A final report will be produced at the end of the project in the spring of 2009. For more information, please contact Cesar Alvarez, University of California Cooperative Extension, Sea Grant, cjaltvarez@ucdavis.edu, 858-694-3666.

Katy Wolf (IRTA for Port of San Diego update) Katy provided a quick update of the “Safer Alternatives to Copper Antifouling Paints Project” (a US EPA pollution prevention grant). This is a two-year project, and its primary goal is to identify viable alternatives to copper-based antifoulant paint. End products include: a report on the types of alternative AFPs, including a comparative evaluation of their effectiveness; a list of acceptable alternative paints, and appropriate maintenance strategies, and educational materials. At this stage of the project, panels have been prepared with alternative coatings and are being tested in marinas in Shelter Island Yacht Basin. Panel testing will conclude in the fall and the results will be evaluated. Testing on boat hulls is projected to begin in June 2009 for coatings that pass the initial panel testing screening.

For more information, please see Katy’s PowerPoint presentation, which was emailed to participants for a detailed update. The project’s contacts are: Stephanie Bauer at sbauer@portofsandiego.org and Katy Wolf at kwolf.irta@earthlink.net. Karen Holman is currently out on maternity leave.